

eration the actual value of the land, together with any special damages likely to accrue to the owner, and likewise shall consider any special or general benefit which the owner may derive from the location of the road. If the consideration shall be for the way only, the consideration shall extend only to the right of way, but if for depot or building purposes the consideration shall be in fee. The appraisers shall make their report to the clerk of the superior court within ten days from the time of their meeting on the premises; said report shall be recorded in the office of the register of deeds, after approval by the clerk and payment of damages assessed and shall have the force and effect of a deed. Either party may appeal to the superior court in time for the approval or disapproval of the clerk, which appeal must be prayed within ten days from the approval or disapproval of the clerk.

Report to be made and recorded.

Right of appeal.

SEC. 11. The right of said company to condemn and take land under this act shall be limited to the space of fifty feet on each side of their road bed, measuring from the centre of the same, except for depot and warehouses they may condemn not exceeding two acres in any one place, and in all cases where land or rights of way have been condemned, and where the owner shall petition for assessments of damages within two years from condemnation and occupation, and not after, except in case of legal disabilities, and in such cases within two years from the removal of such disabilities.

Extent of land to be condemned.

When petition for assessment of damages to be filed.

SEC. 12. That any county, township, city or town along or near the line of said road may subscribe to the capital stock of the said company in the following manner: Upon presentation in writing signed by not less than one hundred freeholders and resident tax payers of the county, township, city or town to the board of county commissioners of said county, or to the proper authorities of said city or town, requesting them to submit to the qualified voters of the county, township, city or town where said petitioners may reside, a proposition to subscribe a definite sum named in said petition to the capital stock of said company, the board of commissioners of said county or proper authorities of said city or town shall within thirty days order an election to be held in such county, township, city or town, and submit to the qualified voters therein the question of subscribing to the capital stock of said company the amount specified in said petition; at which election all those qualified to vote who are in favor of such subscription shall be written or printed the words "for subscription" and those opposed to such subscription shall vote a ballot on which shall be written or printed the words "against subscription," and the election

Municipal corporations may subscribe to stock.

Petition to be filed.

Election to be held.

Ballots.